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RCE/2800

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Request
For
Continued Examination (RCE)
Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/388,063
Filing Date	August 30, 1999
First Named Inventor	Agarwal et al.
Art Unit	2815
Examiner Name	J. Fenty
Attorney Docket Number	MI22-1196

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Supplemental Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☒ Other PTO-Form 1449 & references

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. _____

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 750.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	D. Brent Kenady, Wells St. John P.S.	Registration No. (Attorney/Agent)	40,045
Signature	<i>D. Brent Kenady</i>	Date	9-5-03

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Name (Print/Type)	EXPRESS MAIL
Signature	Date

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

750.00 UP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/388,063
Filing Date August 30, 1999
Inventor Agarwal et al.
Assignee Micron Technology, Inc.
Group Art Unit 2815
Examiner Jesse A. Fenty
Attorney's Docket No. MI22-1196
Title: Capacitors Having a Capacitor Dielectric Layer Comprising a Metal
Oxide Having Multiple Different Metals Bonded With Oxygen

**RESPONSE TO JULY 28, 2003 NOTICE OF ALLOWANCE
TO ACCOMPANY RCE FILING**

To: Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: D. Brent Kenady (Tel. 509-624-4276; Fax 509-838-3424)
Wells St. John P.S.
601 West First Avenue, Suite 1300
Spokane, WA 99201-3828

VIA EXPRESS MAIL

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Responsive to the Notice of Allowance dated July 28, 2003, Applicant
remarks as follows:

REMARKS

Claims 5-37 are allowed.

This Request for Continued Examination is submitted in an abundance of
caution simply to place certain references before the Examiner for consideration.


The references are referred to in the Supplemental Information Disclosure Statement presented herewith.

Further, Applicant herewith submits a duplicate copy of the Supplemental Information Disclosure Statement and Form PTO 1449 filed in this application on July 11, 2003. No initialed copy of the PTO-1449 has been received back from the Examiner. To the extent that the submitted reference listed on the Form PTO 1449 has not already been considered, and the Form PTO-1449 has not been initialed with a copy being returned to Applicant, such examination and initialing is requested at this time, as well as return of a copy of the initialed Form PTO-1449 to the undersigned.

This application is believed to be in immediate condition for allowance, and action to that end is requested.

Respectfully submitted,

Dated: 9-5-03

By: 
D. Brent Kenady
Reg. No. 40,045